

## **REMARKS**

Claims 1-12, 14-30 and 47-49, of which claims 1 and 16 are independent, are pending in the present patent application. In the Office Action mailed April 8, 2004, the Examiner (i) rejected claims 1-12 and 14-15 under 35 U.S.C. § 112; and (ii) rejected claims 1-3, 16, 18, 47 and 49 under the judicially created doctrine of obviousness-type double patenting.

As set forth, Applicants have cancelled claims 31-46, and amended claims 1 and 6-7. No new matter has been added. Furthermore, after careful review of the cited references, Applicants respectively request reconsideration in view of the following remarks.

### **I. 35 U.S.C. § 112 Rejection**

The Examiner rejected claims 1-12 and 14-15 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have amended claims 1 and 6-7. As such, this rejection is moot.

### **II. Double Patenting Rejection**

Claims 1-3, 16, 18, 47 and 49 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 7, and 11-15 of U.S. Patent No. 6,234,378 (Ford). Applicants submit herewith a terminal disclaimer in compliance with 37 C.F.R. 1.321(c) to overcome this rejection.

### **III. Summary**

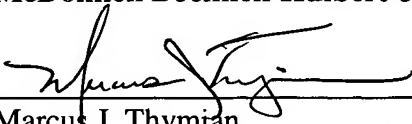
Applicants respectfully submit that, in view of the remarks above, the present application, including claims 1-12, 14-30 and 47-49, is now in condition for allowance and solicit action to that end.

If there are any additional matters that may be resolved through a telephone interview,  
the Examiner is requested to contact Applicants' undersigned representative at (312)-913-0001.

Respectfully submitted,

**McDonnell Boehnen Hulbert & Berghoff**

Date: May 25, 2004

By:   
Marcus J. Thymian  
Reg. No. 43,954